

REMARKS

In a Final Office Action mailed on January 2, 2002, claims 5-7, 16 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hudson in view of Caveney; and claims 18 and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hudson and Caveney in view of Zimmerman. Claims 18 and 20 have been canceled, thereby rendering the rejections of these claims moot. The limitations of claim 6 have been incorporated into claim 1. As a result of this amendment, claim 6 has been canceled. The claims are patentable over the cited references for the reasons set forth below.

Rejections of Claims 5, 7 and 16:

As amended, the method of claim 5 includes determining if a port of the cover is to be used to connect the cable and if so, connecting the cable to the port. Neither Hudson, Zimmerman nor Caveney teaches or suggests such a limitation. Therefore, the Examiner has not established a *prima facie* case of obviousness for at least this reason. Furthermore, the Examiner still fails to provide a specific reference to any of the cited references to support the § 103 combination. In this manner, relying on the alleged general level of skill in the art to derive the obviousness combination is improper, as "rarely, however, will the skill in the art component operate to supply missing knowledge or prior art to reach an obviousness judgment." *Al-Site Corp. v. VSI Int'l, Inc.*, 50 U.S.P.Q.2d 1161, 1171 (Fed. Cir. 1999).

Thus, withdrawal of the rejections of claims 5, 7 and 16 is requested.

Rejections of Claims 22-24:

As pointed out in the previous Reply, the Examiner fails to establish a *prima facie* case of obviousness, as none of the cited references teaches or suggests selectively routing a cable between notches formed in edges that are of different heights. Furthermore, the Examiner still fails to provide any support for the suggestion or motivation for this three-way combination of Hudson, Caveney and Zimmerman. As noted above, reliance on the alleged general level of skill in the art in this case is improper.

Thus, withdrawal of the § 103 rejections of claims 20-22 is requested.

CONCLUSION

In view of the foregoing, withdrawal of the § 103 rejections and a favorable action in the form of a Notice of Allowance is requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (MCT-0107-00-US).

Respectfully submitted,

Date:

1/25/02



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PATENT TRADEMARK OFFICE

A handwritten signature in black ink, appearing to read 'Fred G. Pruner, Jr.', written over a horizontal line.

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CLAIM AMENDMENTS

Claim 5 has been amended as follows:

5. (Amended Twice) A method for using a cable management device capable of carrying and at least partially concealing a length of cable, the device having a tray with a notch at an upper portion and a notch at a lower portion of the tray and a cover, the method comprising:
- mounting the tray, the lower portion of the tray comprising a groove underneath the lower portion notch;
 - arranging the cable in the tray including laying the cable at least partially inside the groove;
 - selectively routing the cable through at least one of the upper portion notch and the lower portion notch; [and]
 - closing the cover on the tray, the cover comprising a port; and
 - determining if the port is to be used to connect the cable and if so, connecting the cable to the port.

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